

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 16, 2005.

Ali Makoui

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Barin G. Haskell, et al.

Serial No.:

10/615,117

Filing Date:

07/07/2003

For:

METHOD AND APPARATUS FOR CONTROL OF RATE-DISTORTION TRADEOFF BY MODE SELECTION IN VIDEO

ENCODERS

Examiner: Shawn S. An

Group Art Unit: 2613

09/21/2005 SHASSEN1 00000024 10615117 01 FC:1806

180.00 OP STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

The PTO did not receive the following listed Items (S) Foke

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit with this Information Disclosure Statement the attached Form PTO-1449, and copies of the documents listed in the 1449 form for consideration by the Examiner. The Examiner is requested to make these documents of record. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to

the examination of this application does not exist; (iii) the information, protocols, results and the

like reported by third parties are accurate or enabling; or (iv) the above information constitutes

prior art to the subject invention.

This Information Disclosure Statement is submitted: After receipt of a first Office Action

on the merits but before a final Office Action or Notice of Allowance. A fee is required. A fee

in the amount of \$180 is enclosed.

However, in the unlikely event that the Patent Office determines that additional fees,

extension and/or other relief is required, applicant petitions for any required relief including

extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions

and/or other fees due in connection with the filing of this document to Deposit Account No. 50-

1128 referencing APLE.P0035. However, the Assistant Commissioner is not authorized to

charge the cost of the issue fee to the Deposit Account.

Dated:

September 16, 2005

Respectfully submitted,

Ali Makoui

Registration No. 45,536

Stattler, Johansen & Adeli LLP 1875 Century Park East, Suite 1050

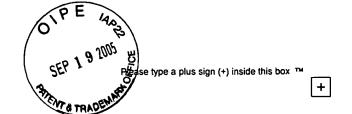
Century City, California 90067-2337

Telephone: (310) 785-0140 x302

Fax: (310) 785-9558

Serial No. 10/615,117 Docket No. APLE.P0035 Client Docket No. P3088US1

2



Based on PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

				Application Number		_	10/615,117
TRANSM	IITTA	L		Filing Date			07/07/03
FOR	M			First Named Inventor		Barin G. Haskell	
(to be used for all correspon)	Group Art Unit			2613		
		Examiner			Shawn S. An		
Total Number of Pages in Thi	*	Attorney Docket Number			APLE.P0035		
		Enclo	osur	es (Check all that appl	y)		
Fee Transmittal Form				ent Papers pplication)		After Allo Group	wance Communication to
Fee Attached		☐ Dra	wing	(s)			ommunication to Board of and Interferences
Amendment/Reply	Amendment/Reply			g-related Papers			ommunication to Group otice, Brief, Reply Brief)
After Final	Pet	tition			Proprieta	ry Information	
Affidavits/declarat	Petition to Convert to a Provisional Application			Status Lo	etter		
Extension of Time Req	Power of Attorney, Revocation Change of Correspondence Address			×	Other Er	closures (<i>Listed below</i>):	
Express Abandonment Request		Terminal Disclaimer			Form 1449 (2 pages) 3 Documents cited on Form 144 Credit Card Payment Form		
Information Disclosure Statement		Request for Refund			Internati	onal Search Report PCT/ISA/210 (4 pages)	
Certified Copy of Priori Documents	ity	CD	CD, Number of CD(s)				
Response to Missing F Incomplete Application		Remar	ks:				
Response to Miss Parts under 37 Cf or 1.53							
	SIGN	ATURE C	OF A	PPLICANT, ATTORNEY,	OR A	GENT	
Firm Or Individual name	Ali Mal	koui, Re	g. N	o. 45,536 of Stattler, Joh	anse	en & Ade	li LLP
Signature							
Date	2005						
				OF TRANSMISSION			
I hereby certify that this corn Postal Services as first clas 22313-1450, on this date: 9	s mail in a	nce is bein an envelop	g fac e add	simile transmitted to the USP dressed to: Commissioner for	TO or Pater	deposited nts, P.O. Bo	with the United States ox 1450, Alexandria, VA
Typed or printed name	Ali Mak						
Signature	my	<u>.</u>	a	2.	D	ate	September 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SEP 1 9 2005

Please type a part sign (+) inside this box TM +

Based on PTO/SB/08 a & b (05-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

				Complete It Known				
S	Substitute for form 1	1449A/PT	0	Application Number	10/615,117			
	RMATION DI			Filing Date	07-07-2003			
SIAI	EMENT BY	APPLI	CANI	First Named Inventor	Barin G. Haskell			
(us	e as many sheets a	as necess	sary)	Group Art Unit	2613			
				Examiner Name	An, Shawn S.			
Sheet	1	of	2	Attorney Docket Number	APLE.P0035			

				U.S.	PATENT DOCUMENTS	
Examiner* Initials	Cite No.1	U.S. Patent Number	Document Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	5,790,131	Α	08-04-1998	Liang, et al.	
-	2.	5,867,221	Α	02-02-1999	Pullen, et al.	
	3.	5,872,598	A	02-16-1998	Legall, et al.	
	4.	5,923,376	6 A	07-13-1999	Pullen, et al.	

			<u> </u>	ļ	FOREIGN PA	ATENT DOCUMENTS		
Examiner* Initials	Cite No.1	Kind Code			Kind Code Publication Applicant of Cited Document			
	5.	AU	2,597,697	А	10-22-1997	Iterated Systems, Inc.	See Int'l. Search Rep Form PCT/ISA/210 (Counterpart to US 5923376 A)	
	6.	AU	3,208,897	А	12-05-1997	Iterated Systems, Inc.	See Int'l. Search Rep Form PCT/ISA/210 (Counterpart to US 5790131 A)	
	7.	EP	0,890,265	A1	01-13-1999	Iterated Systems, Inc.	See Int'l. Search Rep Form PCT/ISA/210 (Counterpart to US 5923376 A)	
	8.	wo	9,737,495	A1	10-09-1997	Iterated Systems, Inc.	See Int'l. Search Rep Form PCT/ISA/210 (Counterpart to US 5923376 A)	

Examiner	Date
Signature	Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sheet

2

					Complete if Known				
	Substitute for form	1449A/P	то		Application Number	10/615,117			
	ORMATION D				Filing Date	07-07-2003	-		
517	ATEMENT BY	APPL		ANI	First Named Inventor	Barin G. Haskell			
	(use as many sheets	as nece	ssary,)	Group Art Unit	2613			
					Examiner Name	An, Shawn S.			
Sheet	2	of	T	2	Attorney Docket Number	APLE.P0035			

				FOREIGN PA	ATENT DOCUMENTS	
9.	wo	9,743,860	A1	11-20-1997	Iterated Systems, Inc.	See Int'l. Search Rep Form PCT/ISA/210 (Counterpart to US 5790131 A)

		NON PATENT LITERATURE DOCUMENTS	
Examiner*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	10.	CHOI, J., et al., "A Stable Feedback Control of the Buffer State Using the Controlled Language Multiplier Method, "IEEE Transactions on Image Processing, September 1, 1994, pp. 546-558, Vol. 3 No. 5, IEEE Inc., New York, US.	
-	11.	LEE, W. Y., et al., "Fast Algorithm for Optimal Bit Allocation in a Rate-Distortion Sense, "Electronics Letters, September 26, 1996, pp. 1871-1873, Vol. 32 No. 20, Stevenage, Herts, GB.	
	12.	YANG, Y., et al., "Rate-Distortion Optimizations for Region and Object Based Wavelet Video Coding, " Conference Record of the 34 th Asilomar Conference on Signals, Systems & Computers, October 29, 2000, pp. 1363-1368, Vol. 2 of 2 Conf 34, IEEE, New York, US.	

Examiner	 Date	
Signature	Considered	

This collection of information is required by 37CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁸ Applicant is to place a check mark here if English language Translation is attached.